

Commonwealth of Australia

STATUTORY DECLARATION

Statutory Declarations Act 1959

In the matter of:

Trade Wind Communications Ltd
United States patent application no 10/523153
A bulk communications process using multiple delivery media

I, John McCormack, of 58 Mannikin Drive, Woronora Heights NSW 2233, do solemnly and sincerely declare as follows:

- 1 I am the Chief Financial Officer of ConnXion Limited.
- 2 I was asked by our patent attorneys, Freehills Patent and Trade Mark Attorneys, to attempt to contact Michael Stewart, an inventor of the invention described in US patent application 10/523,153.
- 3 Freehills Patent and Trade Mark Attorneys provided my colleague, David Colvin, and I with an extract from the British Telecom telephone directory listing London residential "M Stewart" records. A copy of the extract is attached as **Exhibit A**.
- 4 David Colvin and I divided the list shown at Exhibit A between us in order to share the task of contacting each recorded M Stewart. Attached as **Exhibit B** is the list of those M Stewart records which I was responsible for contacting.
- 5 In December 2007 I travelled to London, and between 28 December 2007 and 5 January 2008 I phoned each number appearing in the list of Exhibit B in an attempt to contact the M Stewart and determine whether they were the Michael Robert Stewart for whom I was searching. Exhibit B also shows notes from my attempts at contacting each M Stewart in my portion of the list.
- 6 As can be seen from Exhibit B, none of the "M Stewart" records I was able to contact was a record for the Michael Robert Stewart whom I was looking for.
- 7 As can also be seen from the annotations in Exhibit B multiple attempts were made on various days at different times to contact those "M Stewart" records from which no response was received.
- 8 I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardise the validity or enforceability of the application or any patent issued thereon.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

Declared at SYDNEY on 25 of FEBRUARY 2008 Month and year
Place Day

Before me:

.....
Signature of person before whom the declaration is made

.....
Signature of person making the declaration

Carl David Horrop

Registered Patent Attorney

Title of person before whom the declaration is made

.....
JOHN PATRICK MCCRACKEN

.....
Full name of declarant

Commonwealth of Australia
STATUTORY DECLARATION

Statutory Declarations Act 1959

In the matter of:

Trade Wind Communications Ltd
United States patent application no 10/523153
A bulk communications process using multiple delivery media

EXHIBIT A

The attached is Exhibit A referred to in the Statutory Declaration of John McCormack declared on
the 25th day of February 2008.

Before me:

A handwritten signature in black ink, appearing to read "John McCormack".

The list of London residential "M Stewart" records from the British Telecommunications directory.

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The Phone Book

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Searched for stewart in London

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1. M Scott-Stewart
Tel: (020) 8673 8503 - Text Number
13 Abberline St, London, SW4 9LA - Map
2. M Stewart
Tel: (020) 8279 8187 - Text Number
58 Wadham Rd, London, E17 4HT - Map
Woman advises not Michael Stewart.
3. M Stewart
Tel: (020) 7737 1704 - Text Number
6 Wynter Holtyoun Rd, London, SW9 0UR - Map
*28/12 10-10am No answer
29/12 5pm No answer
5/1/08 6-35pm No answer*
4. M Stewart
Tel: (020) 3248 0484 - Text Number
A Base, W13 LW - Map
Male advises he is not Michael Stewart
5. M Stewart
Tel: (020) 7837 3362 - Text Number
95 Foundling St Brunswick Cntr, London, WC1N 1AN - Map
*28/12 10-20am No Ans
29/12 5.05pm Male says no Michael lives there*
6. M Stewart
Tel: (020) 7168 4128 - Text Number
434 Cable St, London, E1W 3DR - Map
Male advises he is Michael but never been to Australia
7. M Stewart
Tel: (020) 3742 7946 - Text Number
173 Chiswick Village, London, W4 3DG - Map
*28/12 10-35am No Answer
29/12 5-10pm No Answer
5/1/08 6-40pm No Answer*
8. M Stewart
Tel: (020) 7727 6716 - Text Number
3 Clarendon Rd, London, W11 4JA - Map
Female advises not Michael Stewart at the address
9. M Stewart
Tel: (020) 3200 1626 - Text Number
25 Colin Cres, London, NW9 6EU - Map
*28/12 10-40am
Female advised Michael (faid away - never been to Aust.*
10. M Stewart
Tel: (020) 3205 9897 - Text Number
25 Colin Cres, London, NW9 6EU - Map
*28/12 10-52am
Male advises he is not Michael Stewart nor knows any Michael Stewart.*



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- 11. M Stewart**
Tel: (020) 8876 0124 - Text Number
 15 Colston Rd id, London, SW14 7PQ - Map

12. M Stewart
Tel: (020) 8870 9242 - Text Number
 142 Engadine St, London, SW18 5DT - Map

13. M Stewart
Tel: (020) 8690 6408 - Text Number
 93 Ewhurst R , London, SE4 1SD - Map

14. M Stewart
Tel: (020) 3947 8168 - Text Number
 606 Garratt L , London, SW17 0NX - Map

15. M Stewart
Tel: (020) 3514 7017 - Text Number
 16 Gladding Pl, London, E12 5DD - Map

16. M Stewart
Tel: (020) 3368 8433 - Text Number
 9b Goldsmith Id, N11 3JA - Map

17. M Stewart
Tel: (020) 7731 3834 - Text Number
 47 Hamble St London, SW6 2RT - Map

18. M Stewart
Tel: (020) 3809 9830 - Text Number
 58 Meron Dv, London, N4 2FZ - Map

19. M Stewart
Tel: (020) 7607 5933 - Text Number
 24a Horsehill Rd London, NS 1XP - Map

20. M Stewart
Tel: (020) 7652 5071 - Text Number
 94 Lugard Rd, London, SE15 2SZ - Map

28/12/07 6.05pm No answer
 29/12 5-15pm No answer
 5/1/08 6.42pm Male advised
 Never been to Ak

28/12/07 6.08pm
 Female advises no Michael
 Stewart living there

28/12/07 6.15pm
 male advises he is not
 Michael

28/12/07 6.20pm
 Male advises he is not
 Michael

28/12/07 6.30pm
 Female advises that michael
 never involved in IT development
 in August.

28/12 6.40pm No answer
 5/1/08 6.50pm Female advises
 no Michael lives there

28/12 6.42pm Hung up
 Thought I was cold calling

28/12 6.50pm No answer
 5/1/08 6.58pm Male advised
 not Michael I am looking for. Not in

29/12 4.45pm
 Female advises no Michael
 lives there

29/12 4-50pm No answer.
 5/1/08 7-05pm Female advised
 male lives there

**Are
you
looking
for
new
customers?**

Home

Ferslwyn Cymraeg

17th & 18th December

between 8pm & 10pm (Sydney time)



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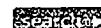
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Surname

stew art

Location

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Searched for stewart in London

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21. M Stewart

Tel: (020) 7498 5937 - Text Number
94 Mawbey St, London, SW8 2TR - Map

No such person

22. M Stewart

Tel: (020) 7630 6775 - Text Number
6/9 Moreton St, London, SW1V 2PW - Map

No reply

23. M Stewart

Tel: (020) 3340 4746 - Text Number
2 The Heights Mount Vw Rd, London, N4 4JU - Map

No reply

24. M Stewart

Tel: (020) 3244 6511 - Text Number
92a Muirkirk Rd, London, SE6 1SH - Map

No reply

25. M Stewart

Tel: (020) 7736 5721 - Text Number
198 Munster Rd, London, SW6 6AU - Map

No such person

Are you looking for new customers?

26. M Stewart

Tel: (020) 3543 8773 - Text Number
21/32 Pelham Rd, London, SW19 1SX - Map

No reply

27. M Stewart

Tel: (020) 7481 9165 - Text Number
408/1 Pepys St, EC3N 2NU - Map

No reply

28. M Stewart

Tel: (020) 7741 5613 - Text Number
5 Adela Ho Queen Caroline St, London, W6 9EH - Map

No such person

29. M Stewart

Tel: (020) 7337 8910 - Text Number
2/7a River St, London, EC1R 1XN - Map

No reply

30. M Stewart

Tel: (020) 7533 0722 - Text Number
12F Silk Mills St, London, E9 5NX - Map

No reply

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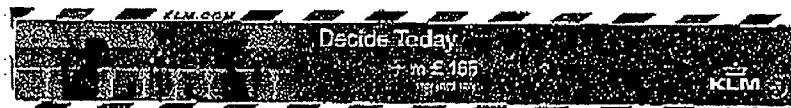
LONDON



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31. M Stewart

Tel: (020) 3521 5078 - Text Number
80 Tenby Ct, Tenby Rd, London, E17 7AU - Map

No such person

32. M Stewart

Tel: (020) 3806 4226 - Text Number
38/20 Theydon Rd, E5 9NY - Map

No reply

33. M Stewart

Tel: (020) 3856 6846 - Text Number
401b Well Hall Rd, London, SE9 6TY - Map

No reply

Are you looking for new customers?

34. M Stewart

Tel: (020) 7485 0579 - Text Number
68 Cressfield Gdns, London, NW5 4BW - Map

No reply

35. Tel: (020) 7373 6985

- Text Number
25 Redcliffe St, London, SW10 9DR - Map

No reply

36. M.A Stewart

Tel: (020) 7373 6985 - Text Number
25 Redcliffe St, London, SW10 9DR - Map

No reply

37. M.A Stewart

Tel: (020) 7241 1044 - Text Number
3 Stamford Rd, London, SW16 4PZ - Map

No reply

38. M.B Stewart

Tel: (020) 7603 4537 - Text Number
5b Fitzjames St, London, W14 0RP - Map

No such person

39. M.C Stewart

Tel: (020) 7471 5039 - Text Number
105 Kensington Av, London, E12 6NL - Map

No such person

40. M.J Stewart

Tel: (020) 7882 0823 - Text Number
4 Kingsbridge St, Barwell Gn, London, N21 3AR - Map

No reply

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41. M.J Stewart

Tel: (020) 7222 7480 - Text Number
2 lesley court strutton Ground, London, SW1P 2HZ - Map

No Reply

42. M.J.N Stewart

Tel: (020) 7735 6191 - Text Number
110 Fentiman Rd, London, SW8 1QA - Map

No Reply

43. M.N Stewart

Tel: (020) 7703 0072 - Text Number
13a Lyndhurst Wy, London, SE15 5AG - Map

No such person

Are you looking for new customers?

44. M.V Stewart

Tel: (020) 8698 6094 - Text Number
145 Thornsbeck Rd, London, SE6 1HB - Map

No Reply

45. M.W Stewart

Tel: (020) 8371 0148 - Text Number
49a Redbourn Av, London, N3 2BP - Map

No such perso...

46. Martin Stewart

Tel: (020) 8946 7788 - Text Number
49 Franche Ct Rd, London, SW17 0JX - Map

No such person

47. Maurice J S tewart

Tel: (020) 7622 1356 - Text Number
Fl 1/14 Clapham Com Nth Side, London, SW4 0RF - Map

N/A

48. Michael Stewart

Tel: (020) 7769 9503 - Text Number
3 Curtis Field Rd, London, SW16 2TE - Map

No such perso...

49. M.A Stewart-Muir

Tel: (020) 8672 7855 - Text Number
24 Morling Rd, London, SW17 8DL - Map

No reply

50. M Stewart- Ingar

Tel: (020) 8659 6858 - Text Number
108 Westwood Pl, London, SE26 6PE - Map

N/A

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In the matter of:

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EXHIBIT B

The attached is Exhibit B referred to in the Statutory Declaration of John McCormack declared on
the 25th day of February 2008.

Before me: 

The list of "M Stewart" records from the British Telecommunications directory I was
responsible for contacting (with annotations).

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Woman advises not Michael Stewart.
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28/12 10.10am No answer
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5/1/08 6.35pm No answer
4. M Stewart
Tel: (020) 3248 0484 - Text Number
A Base, W13 LW - Map
28/12 - 10.11am
Male advises he is not Michael Stewart
5. M Stewart
Tel: (020) 7837 3362 - Text Number
95 Foundling St Brunswick Cntr, London, WC1N 1AN - Map
28/12 10.20am No Answer
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5/1/08 6.40pm No Answer
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Tel: (020) 7727 6716 - Text Number
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28/12 10.37am
Female advises not Michael Stewart at the address
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Tel: (020) 3200 1626 - Text Number
25 Colin Cres, London, NW9 6EU - Map
28/12 10.40am
Female advised Michael passed away - never been to Aust.
10. M Stewart
Tel: (020) 3205 9897 - Text Number
25 Colin Cres, London, NW9 6EU - Map
28/12 10.52am
Male advises he is not Michael Stewart nor knows any Michael Stewart.



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14. M Stewart
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 606 Garratt L, London, SW17 0NX - Map

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19. M Stewart
Tel: (020) 7607 5933 - Text Number
 24a Horsell Rd, London, N5 1XP - Map

20. M Stewart
Tel: (020) 7652 5071 - Text Number
 94 Lugard Rd, London, SE15 2SZ - Map

28/11/07 6.05pm No answer
 29/12 5-15pm No answer
 5/1/08 6.42pm Male advises
 Never been to area

28/11/07 6.08pm
 Female advises no Michael
 Stewart living there

28/12/07 6.15pm
 Male advises he is not
 Michael

28/11/07 6.20pm
 Male advises he is not
 Michael

28/12/07 6.30pm
 Female advises that Michael
 never involved in IT development
 in August.

28/12 6.40pm No answer
 5/1/08 6.50pm Female advises
 no Michael lives there

28/12 6.42pm Hung up
 Thought I was cold calling

28/12 6.50pm No answer
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